

**BOARD OF PARK COMMISSIONERS
REGULAR MEETING
Park and Recreation Department
Conference Room, 11th Floor, City Hall
Monday, May 10, 2004
3:30 p.m.**

Present: Bob Aldrich, June Bailey, Dennis Brunner, Colleen Craig, Glen Dey, Bobbie Harris

Absent: Janet Miller

Also Present: Allison Hamm – GreenWay Alliance; M.S. Mitchell and Kathy Dittmer, Riverside Citizens Association; Doug Kupper, Larry Hoetmer, and Maryann Crockett (staff)

President Bailey called the meeting to order at approximately 3:30 p.m. The minutes of the April 3, 2004 Special Meeting, April 12, 2004 Regular Meeting, and April 26, 2004 Special Meeting were reviewed and approved.

Director Kupper explained that staff would like to add an off-agenda item regarding floodway revision and adjustment of the 100-year floodplain for the Cowskin Creek.

On motion by Dey, second by Brunner, IT WAS VOTED UNANIMOUSLY to add the off-agenda item on the floodplain revision to the agenda to be taken up before Director's Update.

1. **Discussion of Leon Robinson Park Design.** Director Kupper introduced the item stating that park staff Tim Martz, Superintendent, Forestry and Central Support, and Larry Hoetmer, Landscape Architect, have met several times with the Leon Robinson Park design committee. He said the committee included members of the Dawson United Methodist Church, property owners adjacent to the park, and members of the Leon Robinson family. He said the plan had also been reviewed and approved by the neighborhood association and District Advisory Board III. He introduced Larry Hoetmer, Landscape Architect.

Mr. Hoetmer briefly reviewed the park master plan, which included a new picnic shelter, relocation and expansion of the existing parking lot, installation of a new basketball court and new playground equipment along with open space in the center of the park. He referred to the current park amenities, which included an existing basketball/multi-use court, playground, and ball field. He said interest had also been expressed in establishing a walking path around the park. He referred board members to a conceptual drawing of the park.

Mr. Hoetmer commented that because the design concept was a "master plan", no funding was in place for the proposed park improvements, other than the \$7,500.00 donated by the Robinson family for construction of the picnic shelter. He said funding for the benches, walking trail and parking lot would probably be programmed into the Capital Improvement Program budget.

President Bailey asked about the fence along Washington. Mr. Hoetmer explained that because Washington was a busy street, it was determined that the fence should remain for safety reasons. Bob

Aldrich asked about restrooms facilities. Staff responded that restrooms were typically not included in neighborhood park designs. There was brief discussion concerning the fact that the proposed re-located parking lot could only be accessed through the church parking lot and if that might cause conflicts. Staff commented that a joint use agreement would be developed between the City and the church.

President Bailey opened the discussion for public comment. The following individual spoke on the issue:

- Allison Hamm – GreenWay Alliance - asked about the pond in the park. Staff reported that currently there was no pond; however, Councilman Lambke had requested that a water feature be included in the park design.

On motion by Craig, second by Dey, IT WAS VOTED UNANIMOUSLY to approve the park design concept as presented.

2. **Discussion of Toughman Competitions.** Bob Aldrich referred board members to a handout which was a copy of **House Bill No. 2713** AN ACT concerning athletic competitions; establishing an athletic commission, boxing commissioner, athletic fee fund, powers and duties; prohibitions and complaint procedure; amending K.S.A. 21-1801 and repealing the existing section; also repealing K.S.A. 12-5101....12-5126. He said the State has established an Athletic Commission to monitor these types of competitions. He said the bill addressed “professional” competitions only and did not specifically mention Toughman competitions. It was noted that the City would need to comply with the new State law.

There was brief discussion concerning the City’s review process for the Toughman competitions. Staff noted that the City Council had the final authority to approve or disapprove an event. Bob Aldrich commented that he would like to see the Toughman competitions abolished all together.

On motion by Aldrich, second by Brunner, IT WAS VOTED UNANIMOUSLY to recommend that the City Council change the City Ordinance and abolish Toughman competitions based on House Bill No. 2713.

3. **Country Acres, 3rd and 4th Additions.** Director Kupper reported that the City Council approved the Conditional Use permit for the Shrine without the requirement to provide a 30-foot easement to connect the two park parcels. He commented that Arnold Realty has contacted Traffic Engineering regarding constructing a driveway on the north park parcel.

Dennis Brunner asked about legal ownership of the area. Director Kupper responded that the area was platted as park and drainage.

President Bailey opened the discussion for public comment. The following individual spoke on the issue:

- Allison Hamm – GreenWay Alliance – commented that as a member of the public, she was vehemently opposed to giving up any parkland. She added that she felt the Park Board was also in a good bargaining position. That if the Shrine wanted an easement for a road, they could grant the Park Board’s request for an easement to connect the two park parcels.

- M.S. Mitchell – Riverside Citizens Association – commented that there had been two previous options to acquire the property west of the lake. In addition, he said the City had also looked at the possibility of purchasing the property. He stated that a bridge over the drainage way would be needed at some point in time and that the path could be installed on top of the right-of-way, under the utility lines. He commented on the Metropolitan Area Planning Commission public hearing on the issue and said he was disappointed with the attitude of some of the neighbors concerning the proposed public access easement and walking/biking path. He said if it wasn't too late, the Board might want to pursue an easement from Westar Energy under the utility lines.

Dennis Brunner mentioned that he was concerned about the encroachments onto both the north and south park parcels. He said one neighbor had constructed a 30-foot fence on park property and that there were probably between 13-14 encroachments by various other property owners. There was brief discussion concerning the City's recourse on park encroachments.

Director Kupper commented that the board had previously agreed to grant Arnold Realty a 30-foot easement on the north parcel to accommodate a drive when a church was negotiating to purchase the property. He added that at the time the City inquired about purchasing the nine-acre parcel, the price was \$250,000.

- Allison Hamm – commented that if the Park Board needed people to support park projects, such as acquiring easements for hike/bike paths, they could contact the GreenWay Alliance. She added that she felt the Board was in a strong bargaining position with regard to the possibility of granting a road easement in exchange for a path easement. Finally, concerning the encroachments onto park property, she mentioned adverse possession. Mike North, Assistant City Attorney, commented that did not apply to government property.

Bob Aldrich mentioned the possibility of an entrance off of Hazelwood. Director Kupper said that idea had been discussed and rejected by the neighborhood in the past. He added that staff often encountered a "not-in-my-back-yard" attitude from neighbors adjacent to proposed bike paths and railroad abandonment's. There was brief discussion concerning how far the drive needed to be located from the bridge abutment. President Bailey mentioned the possibility that the parkland may be vacated for the road access for safety reasons. There was also mention of locating the path on the east side of the proposed facility. It was noted that the Shriner's did not want a path between their facility and the lake.

Off-Agenda Item

- **Notification of Floodway Revision.** Director Kupper referred board members to Baughman Company's correspondence dated April 22, 2004, Re: Notification of Floodway Revision and Adjustment of the 1% (100-year) annual chance floodplain for Cowskin Creek. He said the letter was notification of the City's intent to revise the 1% annual chance (100-year) floodway, generally located west of Maize Road (103rd St. West) and south of Central Avenue. He said the area included portions of Buffalo Park.

M.S. Mitchell briefly reviewed the item stating that the letter of map revision adopted in June, 1997, did not take into account development that had occurred between the date of the topography and the effective date for the revision. Responding to a question from Dennis Brunner regarding the care home in the area, Mr. Mitchell explained that part of the re-study included surveying the

elevation around the structures that had not been included in the original study. There was discussion concerning the conditions of the Cowskin Creek both north Kellogg and south into Pawnee Prairie Park.

On motion by Aldrich, second by Dey, IT WAS VOTED UNANIMOUSLY VOTED that the Board support the President's signature o the letter.

4. **Director's Update.** Director Kupper reported briefly on the following items:

- New Linwood School. President Bailey thanked Board members for attending the opening of the new Linwood School.
- Central Riverside Park. President Bailey thanked Board members for attending the Grand Re-Opening of Riverside. She also commented that staff and volunteers did an outstanding job.
- Old Linwood School. Director Kupper commented that the Old Linwood School site was going to be declared a National Historic Site. Responding to a question from President Bailey, he commented that the National Historic Registry contacted the Kansas Department of Wildlife and Parks. There was brief discussion that some of the other school sites might fall under the same criteria.
- Planeview Park. Director Kupper commented that it has been suggested that the replacement property for Planeview Park may be an archeological significant site, since several other sites have been identified within a one-mile radius of the proposed replacement parcel. He said that would hold up release of the \$200,000 skate park grant funds until the situation had been resolved.
- Skate Park Public Meeting. Director Kupper commented that several design concepts would be discussed at a skate park meeting next Tuesday, May 18 in the Park Department Conference Room. He said the skating community and parents have expressed a great deal of interest an support in the skate park proposal.
- Indoor Tennis Facility. Director Kupper reported that the City Council decided to allow both profit and not-for-profit organizations to bid on the proposed indoor tennis center project Request for Proposal. Responding to a question from Bob Aldrich, Director Kupper explained that the Park Board was advisory to the City Council. There was discussion concerning a downtown health club competing with recreation centers. President Bailey suggested that board members keep in close contact with their City Council members on issues affecting parks and any recommendations made by the Park Board to the City Council. It was further suggested that a Park Board member be appointed to the RFP Review and Selection Committee for the project.
- Buffalo Park. Dennis Brunner reported that people were mowing the ball fields at Buffalo Park because the grass was so high. Staff commented that the public shouldn't be mowing park area, unless they had an "Adopt-A-Park" agreement.

5. **Executive Session.**

On motion by Aldrich, second by Dey, IT WAS VOTED UNANIMOUSLY that the Board recess into executive session for consultation with legal counsel on matters privileged in the

attorney-client relationship relating to Ordinance #125 and that the Board return from executive session in approximately forty-five minutes at 5:45 p.m.

The Board returned from executive session at approximately 5:45 p.m. No action was necessary as a result of the executive session.

There being no further business, the meeting adjourned at 5:50 p.m.

Janet Miller, First Vice President

ATTEST:

Maryann Crockett, Clerk
Recording Secretary